**GOVERNMENT OF ANDHRA PRADESH**
**ABSTRACT**

Public Servants – Registration & Stamps – Vigilance & Enforcement Report – Allegation against Sri Bandi Suresh, M.D, SB Ventures, Rajamahendravaram – Alienation of demarcated open space in approved layouts and under value registrations – Failure on the part of Panchayat Raj and Registration department officials – Huge loss of Government Revenue to a tune of Rs.5,81,27,204/- – Initiation of Disciplinary Proceedings against Sri Kuchumanchu Hanumantha Rao, Panchayat Secretary, Rajanagaram under Rule 20 of Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 - Article of Charges – Issued.

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**REVENUE (VIGILANCE-II) DEPARTMENT**

**G.O.Rt.No.889** **Dated:11-11-2020**
**Read the following:**

1. From General Administration (V&E) Department, Vigilance Report No.02(C.Noo.808/V&E/D1/2016), dated 02-01-2019.
2. G.O.Ms.No.332, Revenue (Vig.II) Department, dated 11-11-2020.

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**O R D E R :**

In continuation of the orders issued under Rule 24 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 in the reference 2nd read above, it is considered necessary to hold an enquiry against Sri Kuchumanchu Hanumantha Rao, Panchayat Secretary, Rajanagaram under Rule 20 of the said rules.

2. The substance of the imputation of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge (Annexure-I) and the imputation of misconduct or misbehavior in support of each article of charge is enclosed (Annexure-II). A list of documents by which and a list of witnesses by whom the articles of charge are proposed to be sustained are also enclosed (Annexure-III & IV).

3. Sri Kuchumanchu Hanumantha Rao, Panchayat Secretary, Rajanagaram is directed to submit within ten days of the receipt of this order a written statement of his defense.

4. He is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri Kuchumanchu Hanumantha Rao, Panchayat Secretary, Rajanagaram is further informed that if he does not submit his written statement of defense on or before the date specified in para 3 above, further action will be processed based on the material available.

6. Attention of Sri Kuchumanchu Hanumantha Rao, Panchayat Secretary, Rajanagaram is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964 under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under Government. If any representation is received on his behalf from another person in respect of any matter dealt with in these proceedings, it will be presumed that he is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

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7. The receipt of this order may be acknowledged.

**(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)**

**RAJAT BHARGAVA**
**SPECIAL CHIEF SECRETARY TO GOVERNMENT**

To

Sri Kuchumanchu Hanumantha Rao, Panchayat Secretary, Rajanagaram (w.e, Annexures-I to IV) (through the Panchayat Raj & Rural Development (Vig.III)Department, A.P.Secretariat, Velagapudi). (with a request to serve the order on the individuals and send the served copy with dated signature to Government)

Copy to

The Secretary to Vigilance Commissioner, AP.Vigilance Commission, Secretariat Building No.5, Velagapudi, Guntur District.

The Director General, Vigilance & Enforcement Department, A.P., NTR Administrative block, P.N.Bus Station, Vijayawada.

The Panchayat Raj & Rural Development (Vig.III)Department, A.P.Secretariat, Velagapudi.

The Commissioner, Panchayat Raj, Andhra Pradesh, Vijayawada (we)(for necessary action)

SF / SC

//FORWARDED:: BY ORDER//

SECTION OFFICER

**ANNEXURE-I**

**ARTICLE OF CHARGES FRAMED AGAINST SRI KUCHUMANCHU HANUMANTHA RAO, PANCHAYAT SECRETARY, RAJANAGARAM.**

**CHARGE:-**

That Sri Kuchumanchu Hanumantha Rao, has Failed to insist the LP conditions in transfer of open space to GP as per LP.No.2/2006 causing loss of revenue to Govt., exchequer to a tune of Rs.5,00,92,500/-.

Thus, Sri Kuchumanchu Hanumantha Rao, Panchayat Secretary, Rajanagaram by the above mentioned acts has exhibited lack of integrity, devotion to duty and conduct unbecoming of a Government Servant and thereby violated Rule 3 (1) (2) & (5) of APCS (Conduct) Rules, 1964.

**RAJAT BHARGAVA**
**SPECIAL CHIEF SECRETARY TO GOVERNMENT**

//FORWARDED:: BY ORDER//

SECTION OFFICER

## ANNEXURE – II

**STATEMENT OF IMPUTATIONS OF MISCONDUCT OR MISBEHAVOUR IN SUPPORT OF THE ARTICLES OF CHARGES FRAMED AGAINST SRI KUCHUMANCHU HANUMANTHA RAO, PANCHAYAT SECRETARY, RAJANAGARAM.**

During the course of enquiry, the V&E officials verified the records obtained from the Regional Joint Director, DTCP, Rajamahendravaram, the Sub Registrar Office, Stamps & Registration Department, Rajanagaram, and Gram Panchayat Offices of Rajanagaram and Narendrapuram. On examination of the petitioner Sri Mulla Srinivas, he confirmed the allegations made in his petition. The allegation wise facts and evidences are as follows.

**Allegation 1:** Despite conversion of agriculture land into non agriculture purpose in LP. No.2/2006, the Stamps and Registration authorities executed the registration of land on acreage basis (agriculture basis) causing loss to Govt Revenue.

1. During enquiry, it is noticed that in Venkatapuram village, Rajanagaram GP, a layout was sanctioned by Director of Town and Country Planning, A.P, Hyderabad vide LP. 2/2006 in Sy. Nos. 155/2, 155/10, 160/2, 162/1, 162/9, 163/1, 163/8, 165/1, 165/9, 166 & 167/4 covering an extent of Acs.48.10 cts., in favour of Kalidindi Varahala Raju & others. In the above layout 560 residential plots were approved along with 4 open spaces (Acs.4.82cts @ 10%). Thus, the entire area covered in the above survey Nos., has been converted into non agriculture purposes and has to be registered by the concerned SRO, under Sq.Yards at the rate stipulated by the Govt. from time to time.
2. During verification of records available with the SRO office, Rajanagaram, it is observed that till 14-09-2014, several plots pertaining to this L.P. 2/2006 were registered on Sq. Yards basis. But, on 15-09-2014 in the absence of the then Sub-Registrar, Rajanagaram, Sri M.V.Prasada Rao, Sr.Assistant, SRO office, Rajanagaram who is said to have acted as incharge SRO had registered the sale transactions on acreage basis in the same layout. The in charge Sub-Registrar i.e., Sr. Asst. Sri M.V.Prasada Rao, registered an extent of Acs.12.56 cts in South east side of the layout and executed the documents i.e., 6272/14, 6270/14, 6273/14, 6261/14, 6286/14, 6268/14, 6284/14, 6283/14, 6277/14, 6278/14, 6285/14, 6281/14, 6279/14, 6282/14, 6288/14, 6287/14, 6329/14, 6328/14 (total-18 documents). The V&E official have verified the revenue loss caused to the Govt. Exchequer due to the above registrations and the details are as tabulated below.

| Sl. No | Doc. No | Date | Extent (Acres) | Vendor (seller) | Vendee (buyer) | Market Value @1500 per Sq. yd (Rs) | Stamp duty to be levied (Rs) | Stamp duty collected (Rs) | Short levy of stamp duty (Rs) |
|---|---|---|---|---|---|---|---|---|---|
| 1 | 6272 | 15.09.14 | 0.66 | T.Satyanarayana Reddy | N.Sunnibabu | 4791600 | 287496 | 31680 | 255816 |
| 2 | 6270 | 15.09.14 | 1.49 | D.Sulochana & Others | P.Satyanarayana | 10817400 | 649044 | 71520 | 577524 |
| 3 | 6285 | 15.09.14 | 0.46 | V.Sujatha | G.Subba Rao | 3339600 | 200376 | 22080 | 178296 |
| 4 | 6271 | 15.09.14 | 0.46 | K.Seetha | A.Raghavendra Rao | 3339600 | 200376 | 22080 | 178296 |
| 5 | 6273 | 15.09.14 | 0.50 | T.Nagamani | A.Raju | 3630000 | 217800 | 24000 | 193800 |
| 6 | 6261 | 15.09.14 | 0.50 | D.Chnadra Sekhar Reddy | K.Sattibabu | 3630000 | 217800 | 24960 | 192840 |
| 7 | 6286 | 15.09.14 | 0.52 | K.Satti Reddy | D.Venkateswara Rao | 3775200 | 226512 | 24960 | 201552 |
| 8 | 6268 | 15.09.14 | 0.52 | S.Subramanyam | M.Prasad | 3775200 | 226512 | 24960 | 201552 |
| 9 | 6284 | 15.09.14 | 0.52 | K.Nagireddy | D.V.Suryanarayana | 3775200 | 226512 | 24960 | 201552 |
| 10 | 6283 | 15.09.14 | 0.52 | K.Surayamma | M.Sanjay Kumar | 3775200 | 226512 | 24960 | 201552 |
| 11 | 6277 | 15.09.14 | 0.72 | K.Lakshmi | G.Veerababu | 5227200 | 313632 | 34560 | 279072 |

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| | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| 12 | 6278 | 15.09.14 | 1.13 | S.Satish Reddy & others | G.Bhaskara Murthy | 8203800 | 492228 | 54240 | 437988 |
| 13 | 6280 | 15.09.14 | 0.40 | K.Savitri | K.Raju | 2904000 | 174240 | 19200 | 155040 |
| 14 | 6281 | 15.09.14 | 0.70 | D.Vimalavathi | S.harigopal | 5082000 | 304920 | 33600 | 271320 |
| 15 | 6279 | 15.09.14 | 1.50 | S.Srinivas Reddy | S.Uday Kiran | 36360000 | 217800 | 24000 | 193800 |
| 16 | 6282 | 15.09.14 | 0.50 | K.Satyanarayana Reddy | V.Subramanyam | 36360000 | 217800 | 24000 | 193800 |
| 17 | 6288 | 15.09.14 | 1.00 | S.Govinda Reddy | K.Srinu | 7260000 | 435600 | 48000 | 387600 |
| 18 | 6287 | 15.09.14 | 0.54 | T.Seethayamma | A.Appa Rao | 3920400 | 235224 | 25920 | 209304 |
| **TOTAL** | | | | | | | **50,70,384** | **5,59,680** | **45,10,704** |

Thus, there is an identified revenue loss of Rs.45,10,704/-.

3. During further verification, it is noticed that the Sr. Audit Officer, SRA, O/o Accountant General (E&RSA) AP & TS., Hyderabad had also identified and pointed out the deficit of stamp duty to a tune of Rs.45,10,704/-. But, on this issue the then regular Sub Registrar Sri Ch. Srinivasa Babu and the then District Registrar Sri M. Srinivasa Murthy had not noticed the above anomaly and loss of revenue. They have not taken steps for the recovery of the same from the concerned. Even. after identification by the Audit team, the loss of revenue has not yet been got deposited by the Stamps & Registration officials.

Further, the action of availing casual leave by the regular Sub Registrar, Sri Ch.Srinivasa Babu on 15-09-2014 is also suspicious as the casual leave letter and the leave proceedings are not available at the O/o District Registrar, Rajamahendravaram. The regular Sub-Registrar, on return from leave should have cross checked the work done in his absence. It is also revealed that neither the then regular Sub Registrar nor the then District Registrar had initiated any action against the Senior Assistant who executed the documents on acreage basis causing revenue loss of Rs.45 Lakhs to Govt on one day to the Government Exchequer.

**Allegation 2:** By way of alienation of demarcated open spaces in the layouts developed as Golden City, Lotus Town ship, Kingsfort etc., in various Survey Nos. of Rajanagaram (M) had caused the revenue loss to the Govt. Exchequer.

During the course of enquiry, the V&E officials inspected the layouts mentioned in the petition viz., Lotus Township, Elite Avenues Pvt. Ltd, S.B.Venttres Pvt. Ltd and Kingsfort Layout etc. on19-09-2017.

On examination, it is revealed that Sri Bandi Suresh S/o. Venkata Subbayya is a marketing person who had marketed plots in different layouts including in the alleged layouts, but he never had any ownership of land in particular.

The lay out wise enquiry details are as noted below.

**A. Lotus Township:**

This layout is formed in Venkatapuram, hamlet of Rajanagaram (V) & (M) of E.G.District in an extent of Acs.48.10cts covering Sy. Nos. 155/2, 155/10, 160/2, 162/1, 162/9, 163/1, 163/8, 165/1, 165/9, 166 & 167/1.

1. The layout plan was submitted to the Town Planning Department in the name of Sri Kalidindi Varahalaraju & Others and TLP was sanctioned vide L.P.No.02/2006.
2. As per the layout plan the following are demarcated as open spaces as well as open space for public purposes.

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i. 10% of the layout area i.e., in Ac.4.82 cts (Sq.Yards 23328)
ii. Nursery school area (0.52%) in Ac.0.25 cts. (Sq.Yards 1210)
iii. Primary school area (3.12%) in Ac.1.50 cts. (Sq.Yards 7260)

3. The above total area is Ac.6.55 cts and it is supposed to be kept vacant and to be handed over to the concerned authorities i.e., Gram Panchayat as well as the development of the Primary and Nursery schools as stipulated in the rules in force.
4. The field verification revealed that the demarcated 10% open space i.e., Ac.4.82 cts is located as four locations in the above layouts viz., 1.70+1.382+0.857+0.881 Ac. 4.82 cts.
   a) The first demarcated area of Ac.1.70 cts is in the possession of the Gram Panchayat. A vermi compost shed is available in that location. But, the ownership of the above piece of land is still vested with the owners of the land, which is against the rules.
   b) The second demarcated open space to an extent of Ac. 1.382 cts is protected with a compound wall. On examination, the Panchayat Secretary informed that the developers of layout had executed a gift deed in favor of Rajanagaram Gram Panchayat vide Doc.No.6363/14 on 18.09.2014 for an extent of 2763.72 Sq.M as open space i.e., 3291 Sq.Yards (0.68 acres) as against Acs1.382 cts. However, the ownership of remaining demarcated area is still lying with the owner of the land as against the rules.
   c) Out of the third demarcated open space in the L.P. to an extent of Ac.0.857 cts, only an extent of Ac.0.28 cents is kept vacant and the remaining open space to an extent of Ac.0.577 cts is found to be in the possession of Sri D.Uddandaiah, a resident of Diwancheruvu, Rajanagaram Mandal who is claiming the ownership. On enquiry it is noticed that the said land is registered in the name of Smt. D Samrajyam, wife of Sri D.Uddandaiah. (He is GPA holder) He informed that:
      i. he had not given any consent or entered agreement with any party to part of his land for layout. Hence the land of 0.577 acres was fenced and planted Eucalyptus tress by him to safeguard the encroachments.
      ii. he came to know that the layout was approved in 2006 in the name of Sri Kalidindi Varahala Raju and others which was partly suspended and is being developed by some other party on different name in the year 2014 is not in order/as per rule. So he pursued with District authorities.
      iii. The Special Officer, Gram Panchayat, Rajanagaram and Secretary, Gram Panchayat, Rajanagaram had given a Public Notice which was published in EENADU Daily (District Edition) on 11-11-2015 declaring that the entire layout of 48.1 acres is unauthorized layout.
   d) The fourth demarcated open space in the L.P. to an extent of Ac.0.881 cts is available on ground, but the land is found to be divided into house plots. However, the ownership of remaining demarcated area is still lying with the owner of the land as against the rules.
   e) The demarcated area of two pieces of land meant for the Nursery and Primary schools to an extent of Acs.1.75 cts is available on ground. But this land is also divided into house plots and marking stones are observed. However, the ownership of remaining demarcated area is still lying with the owner of the land as against the rules.

During verification by the V&E officials it is revealed that an extent of Acs.4.82 cts is identified and demarcated by the DTCP officials while granting the L.P. to the developers in various survey Nos. or Rajanagaram (V) & (M)

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vide LP No.2/2006. As per the L.P. rules it is the responsibility of the Executive authority (Panchayat Secretary) of Rajanagaram(V) to ensure physical handing over of demarcated open spaces by way of gift deeds in favour of Gram Panchayat. Further, he is responsible for implementation of L.P. conditions on ground. But, the then Panchayat Secretary Sri Toleti Subramanyam and his superior officers i.e., DLPO and DPO have failed in enforcing the L.P. conditions on ground. As a result the demarcated open spaces have been either alienated or encroached by the third parties. Further, they failed even to stop the splitting up of the layout area and selling on acerage basis by the developers to the third parties. Thus, the developers had handed over the open space to an extent of Acs 0.68 cts (3291 Sq yards) only as against the demarcated open space of Acs 4.82 cts (23328 Sq. Yards). Further, the Panchayat Raj officials are responsible for alienation and encroachment and non implementation of LP conditions in the demarcated area Acs 1.75 cts (8470 Sq yards) in LP No.2/2006, which was demarcated for the community purpose as per the rules. Thus, due to inaction and negligence in discharge of their duties by Panchayat Raj officials there is a huge loss to the Govt., exchequer in the form of open spaces as well as the areas identified for the community purpose in L.P.No.2/2006. The details as follows.

1. Total area of demarcated open space 23328 Sq. yards (Acs 4.82 cts).
2. Gift deed executed in favour of Gram Panchayat 3291 Sq. yards (Acs 0.68ts)

Thus, there is a shortage of demarcated open space in L.P No.2./2006 is 23328-3291=20037 Sq. Yards. Further, the SRO, Rajanagaram has informed vide his letter dt.19.08.2017 that the current Govt. value of the land covered in L.P.No.2/2006 is at the rate of Rs.2500/- per Sq.Yard. Accordingly, the loss to the Govt. Exchequer is 20037 X 2500 =Rs.5,00,92,500/-.

**B. Golden Assets Real Projects Pvt. Ltd.,:**

This layout is formed in Narendrapuram (V), Rajanagaram (M) of E.G. District in an extent of 7.28 Acres covering Sy.No.542/1 to 14, and 532/1. Verification of the records available at Narendrapuram Gram Panchayat, Rajanagaram (M) & Sub Registrar, Rajanagaram, revealed that:

a) The layout plan was applied to Town Planning Department on the name of Sri Chatla Satyanrayana, S/o Tatarao and TLP was sanctioned vide L.P.No.23/2014.
b) The demarcated open space is 0.728 acres ( 3524 Sq.yds), which is supposed to be handed over to the concerned Gram Panchayat before selling of the plots, but the open space is not handed over / transfer-ed to the Gram Panchayat. However, residential plots were sold to individuals.
c) The Panchayat Secretaries have not initiated any steps to take over the demarcated open spaces of L.P.No.23/2014.
d) The failure on the part of the then Executive Officer Sri. P.R.K. Bhagavan and his successors in identification of open space, before issuing NOC and failure to get the same in transferred in favour of G.P had resulted in loss of Valuable piece of land worth Rs.35,24,000/- (3521 Sq.yds x Rs.1000/-) as confirmed by the SRO, Rajanagaram vide his letter dated 12-06-2017.

**C. SB Ventures Pvt Ltd (Kingsfort):**

a) This layout is proposed in Sy.No.8,9,11,13 & 15 of Elakolanu (V) of Rangampeta (M), E.G. District in a total extent of 70 acres by Sri Davuluri Pusala Rao of Rajanagaram & others.

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b) The developers had paid conversion charges for Acs 2.40 cts and applied to RDO, Peddapuram for land conversion through the Tahsildar, Rangampeta.
c) Field verification revealed that the land is not divided into residential plots.
d) On examination, it is revealed that the developers proposed for a big layout in 70 acres, but due to demonetization, they could not proceed further. However, the developer admitted that they have engaged the marketing people for the publicity of their layout and accordingly certain marketing people had distributed different pamphlets with attractive information about the proposed layout.

Further, as per the records of the Office of Sub Registrar, Rajanagaram no registrations have been taken place in the said land.

2. During the course of further enquiry, some layout developers and legal heirs are examined and details are as follows.

| Sl.No | L.P.No and Year | Survey Nos. of the layout | Total extent | Open space due (in Sq.Yds) | Person Verified |
|---|---|---|---|---|---|
| 1 | 2/2006 | 155/2, 155/10, 160/2, 162/1, 162/9, 163/1, 163/8, 165/1, 165/9, 166 & 167/4 | 48.015 | 19,989 | Sri Kalidindi Varahala Raju Krishna S/o Lakshmi Narsimha Raju (Late), Pedapulleru (V), Undi (M), West Godavari District. (Annexure-15) |
| 2 | 23/2014/R | 532/1<br>542 | 7.28 | 3524 | Sri Chatala Satyanarayana S/o. Tata Rao (late) Narendrapuram (V), Rajanagaram (M), E.G.District. Cell-7207744450 (Annexure-15) |
| 3 | Kings Fort (to be proposed) | 8,9,11,13 &15 | | | Sri Davuluri Poosalrao s/o.Peda Satyanarayana Murthy, D.no.4-122/1, Sanavari Veedhi, Rajanagaram (V) & (M). (Annexure-12) |

On examination, they informed that the open spaces of the layout were not handed over to the G.P and the officials of the G.P did not issue any notice duly directing them to hand over the open space to the G.P. The failure on the part of executive authorities of Rajanagararn and Narendrapuram villages is established in protection of the demarcated open spaces.

**FINDINGS:** Enquiry into the allegations of irregularities in L.P No 2/2006 in Rajanagaram Gram Pachayat revealed that:

**a. Allegation 1:**

1. Till 11-09-2014, several plots pertaining to this L.P. 2/2006 were registered in the Sq.Yards basis. On 15-09-2014 Sri M.V.Prasada Rao, Sr.Assistant, SRO office, Rajanagaram who said to have acted as incharge SRO in the absence of the then SRO, Rajanagaram, had registered the sale transactions by way of registrations on acreage basis to a part of the layout land in an extent of Acs.12.56 cts causing loss of

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Rs.45,10,704/- to the Government Revenue. The subsequent registrations were also made on square yard basis. The regular SRO, Rajanagaram Sri Srinivasa Babu who was said to be on leave on 15-09-2014 had failed to initiate any action against the erring officials as well as to recover the revenue loss to the Government exchequer. Further, the Casual Leave letter of SRO, Rajanagaram on 15-9-2017 was not reached the District Registrar, Rajahmundry and the District Registrar was not aware of the registration of the documents on acreage basis instead of square yard basis registered on 15-92014. As such the SRO facilitated the Sr.Assistant to proceed with the registration of the documents on acreage basis under the guise of the CL on 159-2014. Hence, it can be construed that the SRO and Sr.Assistant in connivance with the developers registered the documents with undervaluation duly misclassifying the land as Agriculture lend causing loss to the Government Revenue.

In view of the above the allegation that "Despite conversion of agriculture land into non agriculture purpose in LP. No.2/2006, the Stamps and Registration authorities had executed the registration of land on acreage basis (agriculture basis) causing loss to Government Revenues" is substantiated.

**b. <u>Allegation 2:</u>** The Layout wise findings are furnished below.

**<u>A. Lotus township</u>**

i. As per the LP No 2/2006 sanctioned by Director of Town and Country Planning, A.P, Hyderabad as the extent of area Acs.48.10 cts is within his sanction limits. In the above layout 560 residential plots were approved along with 4 open spaces (Acs.4.82cts ©10%), 1 identified space for the Nursery school (Acs.0.25 cts) and the other identified space for the Primary school (Acs.1.50 cts) in Survey Nos. 155/2, 155/10, 160/2, 162/1, 162/9, 163/1, 163/8, 165/1, 165/9, 166 & 167/4 over an extent of Acs.48.10 cts.
ii. The total area Ac.6.55 cts (Acs.4.82cts Acs.0.25 cts + Acs.1.50 cts) is supposed to be kept vacant and to he handed over to the concerned authorities i.e., Grama Panachayat as well as the development of the primary and nursery schools in the said layout as stipulated in the rules in force. The demarcated 10% open space i.e., Ac.4.82 cts is located as four locations in the above layouts viz., 1.70+1.382+0.857+0.881. Out of Ac1.382cts an extent of Ac 0.68 cts only was handed over to the Rajanagaram Gram Panchayat. The remaining land of Ac4.14cts (20037 Sq.Yards) is not handed over to the concerned Gram Panchayats and is still in the possession of the land owners.
iii. In the first demarcated area of Ac.1.70 cts, the second demarcated open space to an extent of Ac. 1.382 cts and the fourth demarcated open space of Ac.0.881 cts, the ownership of the above pieces of land still rests with the owners of the land. In the third demarcated open space of Ac.0.857 cts, an extent of Ac.0.28 cents only is kept vacant and the remaining extent of Ac.0.577 cts is found to be in the possession of some Sri D.Uddandaiah, a resident of Diwancheruvu, Rajanagaram Mandal who is claiming the ownership. Further, the fourth demarcated open space of Ac.0.881 cts is found to be divided intc house plots.
iv. As per the L.P rules it is the responsibility of the Executive authority (Panchayat Secretary) of Rajanagaram (V) to ensure physical handing over of demarcated open spaces by way of gift deeds in favor of Gram Panchayat. Further, he is responsible for implementation of L.P conditions on ground. But, the then Panchayat Secretary Sri Toleti

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Subramanyam and his superior officers i.e., DLPO and DPO have failed in enforcing the L.P conditions on ground. As a result the demarcated open spaces have been either alienated or encroached by the third parties. Further, the successor Panchayat Raj officials have also failed to take possession of the demarcated open spaces and also enforcing the L.P conditions.

v. The Special Officer, Gram Panchayat, Rajanagaram and Secretary, Gram Panchayat, Rajanagaram had given a public notice which was published in EENADU Daily (District Edition) on 11-11-2015 declaring that the entire layout of 48.1 acres is unauthorized layout. The Panchayat Secretaries who are supposed to safeguard the Government Land failed to take up subsequent follow up action of cancellation of the LP 2/2006 and informing the Registration Department not to take up any further registrations in LP 2/2006 owing to its cancellation.

vi. There is a shortage of demarcated open spaces in L.P No.2/2006 is 20037 Sq.Yards. The present Govt. value of the land covered in L.P.No.2/2006 is at the rate of Rs.2500/- per Sq.Yard. Accordingly, the loss to the Government occurred due to non handing over of the open spaces is 20037 X2500 =Rs.5,00,92,500/-.

**B. Golden Assets Real Projects Pvt. Ltd.,**

Lay Out was sanctioned vide L.P.No.23/2014. The demarcated open space is 0.728 ac (3524 Sq.yds), which is supposed to be handed over to the concerned Gram Panchayat before selling of the plots, but the open space is not handed over / transferred to the Gram Panchayat. The Panchayat Secretaries have not initiated any steps to take over the demarcated open spaces of L.P.No.23/2014 which caused a loss of valuable piece of land worth Rs.35,24,000/- (3524 Sq.yds x Rs.1000/-).

**C. SB Ventures Pvt. Ltd., (KinWort)**

The proposed Layout in Sy.No.8,9,11,13 & 15 of Elakolanu (V) of Rangampeta (M), East Godavari District in a total extent of 70 acres by Sri Davuluri Pusala Rao of Rajanagaram & others was not taken up further and no registrations have been taken place in the said land.

Hence the allegation that "Hy way of alienation of demarcated open spaces in the layouts developed as Golden City, Lotus TOM) ship, Kingsfort etc., in various Survey Nos. of Rajanagaram (M) had caused the revenue loss to the Government " is substantiated in case of Lotus township and Golden Assets Real Projects Pvt. Ltd.

1. On examination, Sri Bandi Suresh, S/o. Venkata Subbayya against whom the allegations are made is a marketing person who had marketed plots in different layouts including in the alleged layouts, but he never had any ownership of land in particular.
2. Due to inaction and negligence in discharge of their duties by Panchayat Raj officials and Registration department officials there is a huge loss to the Government exchequer in the form of open spaces as well as undervaluation of stamp duty respectively. The details are as follows.

    a) in the form of deficit Stamp duty of Rs.45,10,704/- by the Registration Department officials.
    b) in the form of alienation and encroachment of demarcated open spaces in LP. No2/2006 is Rs.5,00,92,500/-.
    c) in the form of non handing over of open space in LP. No.23/2014 is Rs.35,24,000/-.

Contd.,8

Total loss to the Govt. Exchequer identified is Rs.5,81,27,204/-.

Therefore the Government Servant, Sri Kuchumanchu Hanumantha Rao, Panchayat Secretary, Rajanagaram by his above-mentioned acts has exhibited lack of integrity, devotion to duty and conduct unbecoming of a Government Servant and thereby violated Rule 3 (1) (2) & (5) of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

Thus the Government Servant has therefore rendered himself liable for departmental action for major penalty for his misconduct.

**RAJAT BHARGAVA**
**SPECIAL CHIEF SECRETARY TO GOVERNMENT**

//FORWARDED:: BY ORDER//

SECTION OFFICER

**ANNEXURE - III**

**LIST OF DOCUMENTS BY WHICH ARTICLES OF CHARGES FRAMED AGAINST SRI KUCHUMANCHU HANUMANTHA RAO, PANCHAYAT SECRETARY, RAJANAGARAM.**

1. Vigilance Report No.02(C.No.808/V&E/D1/2016), Dt.02.01.2019.

**RAJAT BHARGAVA**
**SPECIAL CHIEF SECRETARY TO GOVERNMENT**

//FORWARDED:: BY ORDER//

SECTION OFFICER

**ANNEXURE – IV**

**LIST OF WITNESSES BY WHOM ARTICLES OF CHARGES FRAMED AGAINST SRI KUCHUMANCHU HANUMANTHA RAO, PANCHAYAT SECRETARY, RAJANAGARAM.**

-Nil-

**RAJAT BHARGAVA**
**SPECIAL CHIEF SECRETARY TO GOVERNMENT**

//FORWARDED:: BY ORDER//

SECTION OFFICER